

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,
vs.

AUBREY CLIFTON TRAIL,
Defendant.

CASE NO: 4:17MJ3131

DETENTION ORDER

The defendant poses a serious risk of flight if released. On the government's motion, the court afforded the defendant an opportunity for a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f). The court concludes the defendant must be detained.

Based on the information of record, the court finds by a preponderance of the evidence that the defendant's release would pose a risk of nonappearance at court proceedings, and by clear and convincing evidence that the defendant's release would pose a risk of harm to the public.

Specifically, the court finds that the defendant uses aliases to conceal his identity, travelled outside Nebraska (and was ultimately arrested in Missouri) while law enforcement officers were attempting to find him, was travelling with Bailey Boswell who stated she was leaving the country, has a criminal history which includes assault with a motor vehicle, attempt to allude and failure to obey a lawful order, robbery, and felony escape, successfully arranged for the purchase of a gun despite his felony record, has threatened harm to others, and presented no evidence opposing detention. Conditions which restrict Defendant's travel, personal contacts, and possession of drugs, alcohol, and/or firearms; require reporting, education, employment, or treatment; or monitor Defendant's movements or conduct; or any combination of these conditions or others

currently proposed or available (see 18 U.S.C. § 3142(c)), will not sufficiently ameliorate the risks posed if the defendant is released.

Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of the United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Dated December 8, 2017.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge